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EXAMINER

GRAHAM, CLEMENT B

ART UNIT

PAPER NUMBER

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/076,539	<b>Applicant(s)</b> OKAMURA, MICHIO	
	<b>Examiner</b> Clement B. Graham	<b>Art Unit</b> 3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6,8-11,13,17-19,21,22,26,28,29 and 31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6,8-11,13,17-19, 21,22,26,28,29 and 31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/15/2003</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

1. Claims 1, 3-4, 6, 8-11, 13, 17-19, 21-22, 26, 28-29, 31 remained pending.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-4, 6, 8-11, 13, 17-19, 21-22, 26, 28-29, 31, are rejected under 35 U.S.C. 103(a) as being unpatentable over et al (Hereinafter Matsuo U.S Pub: 20010042021) in view Clore U.S Pub: 2003/0074290.

As per claim 1, Matsuo discloses a n electronic money processing method for a bank server which is connected to a terminal apparatus of the user via the Internet and connected via a mobile phone network to an electronic money card having an interface that can be connected to said terminal apparatus and a mobile phone function, comprising:  
a payment accepting step wherein payment application in which a payment money amount and a payment date/time have been designated is received from said terminal apparatus(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

Matsuo fail to explicitly teach wherein said payment date/time has been set in a manner such that as said payment money amount is larger, a time lag between said payment application date/time/and a payment execution date/time is increased; and  
a payment executing step wherein when said payment date/time comes, a telephone call is made to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed.

However Clore discloses delinquent credit card customers an opportunity to gain membership into a repayment plan offered by a financial account provider. The repayment plan

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may allow a customer to select certain repayment plan options managed by the financial account provider that include various parameters, such as certain payments amounts , certain times periods, and fees assessed to the delinquent account while the customer is a member of the plan. The financial account provider may monitor each customer's performance while they are a member of the repayment plan to determine whether a customer has failed to meet the criteria associated with the selected option. If a customer fails to meet the criteria, they may be removed from membership in the repayment plan, and the delinquent account may be processed as a standard delinquent account. On the other hand, if a customer meets the criteria during the predetermined time period, the financial account provider may provide benefits to the customer, such as removing the delinquent status assigned to their account, modifying their credit bureau report, and/or offering adjustments to selected terms of their credit account.( note abstract and see para 0021 and 0052).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was known to modify the teachings of Matsuo to include wherein said payment date/time has been set in a manner such that as said payment money amount is larger, a time lag between said payment application date/time/and a payment execution date/time is increased and a payment executing step wherein when said payment date/time comes, a telephone call is made to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed taught by Clore in order to manage delinquent accounts.

As per claim 3, Matsuo discloses wherein in said payment accepting step, the payment date/time which has been set in a manner such that as said payment money amount is larger, a time lag between said payment application date/time and a payment execution date/time is increased. (see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

As per claim 4, Matsuo discloses a wherein in said payment accepting step, prior to accepting the payment, predetermined user authentication information including an account number and a telephone number obtained from said electronic money card is received from said terminal apparatus and collated with a customer database, and when they coincide as a result of said collation, a next inputting process is authenticated. .(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

As per claim 6, Matsuo discloses wherein in said payment executing step, if a telephone talk connection is not established in a telephone call to said electronic money card, the execution of the payment is stopped and the payment application is cancelled. (see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

As per claim 8, Matsuo discloses a electronic money processing method for a bank server which is connected to a terminal apparatus of the user via the Internet and connected via a mobile phone network to an electronic money card having an interface that can be connected to said terminal apparatus and a mobile phone function, comprising:  
a payment accepting step wherein payment application in which a payment money amount has been designated is received from said terminal apparatus.(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

Matsuo fail to explicitly teach a payment executing step wherein a payment date/time is set in a manner such that as said payment money amount is larger a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased in accordance with said 3ccepted payment money amount, when said payment date/time comes, a telephone call is made to said electronic money card, establishment of a telephone.(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

However Clore discloses delinquent credit card customers an opportunity to gain membership into a repayment plan offered by a financial account provider. The repayment plan may allow a customer to select certain repayment plan options managed by the financial account provider that include various parameters, such as certain payments amounts , certain times periods, and fees assessed to the delinquent account while the customer is a member of the plan. The financial account provider may monitor each customer's performance while they are a member of the repayment plan to determine whether a customer has failed to meet the criteria associated with the selected option. If a customer fails to meet the criteria, they may be removed from membership in the repayment plan, and the delinquent account may be processed as a standard delinquent account. On the other hand, if a customer meets the criteria during the predetermined time period, the financial account provider may provide benefits to the customer, such as removing the delinquent status assigned to their account, modifying their credit bureau report,

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and/or offering adjustments to selected terms of their credit account.( note abstract and see para 0021 and 0052).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was known to modify the teachings of Matsuo to include a payment executing step wherein a payment date/time is set in a manner such that as said payment money amount is larger a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased in accordance with said 3ccepted payment money amount, when said payment date/time comes, a telephone call is made to said electronic money card, establishment of a telephone taught by Clore in order to manage delinquent accounts.

As per claim 9, Matsuo discloses further comprising the step of notifying said terminal apparatus of said set payment date/time. .(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

As per claim 10, Matsuo discloses wherein in said payment executing step, as said payment money amount is larger, a time lag between said payment application date/time and a payment execution date/time is increased. .(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

As per claim 11, Matsuo discloses wherein in said payment accepting step, prior to accepting the payment, predetermined user authentication information including an account number and a telephone number obtained from said electronic money card is received from said terminal apparatus and collated with a customer database, and when they coincide as a result of said collation, a next inputting process is authenticated. .(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

As per claim 13, Matsuo discloses wherein in said payment executing step, if the telephone talk connection is not established in the telephone call to said electronic money card, the execution of the payment is stopped and the payment application is cancelled. .(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

As per claim 17, Matsuo discloses a computer-readable recording medium in which a program for processing electronic money has been stored, wherein said program allows a computer constructing a bank server which is connected to a terminal

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apparatus of the user via the Internet and connected via a mobile phone network to an electronic money card having an interface that can be connected to said terminal apparatus and a mobile phone function to execute:

a payment accepting step wherein payment application in which a payment money amount and a payment date/time have been designated is received from said terminal apparatus. (see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

Matsuo fail to explicitly teach wherein said payment date/time has been set in a manner such that as said payment money amount is larger, a time lag between said payment application date/time and a payment execution date/time is increased; and

a payment executing step wherein when said payment date/time comes, a telephone call is made to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed.

However Clore discloses delinquent credit card customers an opportunity to gain membership into a repayment plan offered by a financial account provider. The repayment plan may allow a customer to select certain repayment plan options managed by the financial account provider that include various parameters, such as certain payments amounts, certain times periods, and fees assessed to the delinquent account while the customer is a member of the plan. The financial account provider may monitor each customer's performance while they are a member of the repayment plan to determine whether a customer has failed to meet the criteria associated with the selected option. If a customer fails to meet the criteria, they may be removed from membership in the repayment plan, and the delinquent account may be processed as a standard delinquent account. On the other hand, if a customer meets the criteria during the predetermined time period, the financial account provider may provide benefits to the customer, such as removing the delinquent status assigned to their account, modifying their credit bureau report, and/or offering adjustments to selected terms of their credit account.( note abstract and see para 0021 and 0052).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was known to modify the teachings of Matsuo to include wherein said payment date/time has been set in a manner such that as said payment money amount is larger, a time lag between said payment application date/time and a payment execution date/time is increased and a payment

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executing step wherein when said payment date/time comes, a telephone call is made to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed taught by Clore in order to manage delinquent accounts.

As per claim 18, Matsuo discloses a computer-readable recording medium in which a program for processing electronic money has been stored, wherein said program allows a computer constructing a bank server which is connected to a terminal apparatus of the user via the Internet and connected via a mobile phone network to an electronic money card having an interface that can be connected to said terminal apparatus and a mobile phone function to execute:

a payment accepting step wherein payment application in which a payment money amount has been designated is received from said terminal apparatus .(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

Matsuo fail to explicitly teach a payment executing step wherein a payment date/time is in a manner such that as said payment money amount is larger, a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased in accordance with said accepted payment money amount, when said payment date/time comes, a telephone call is made to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed.

However Clore discloses delinquent credit card customers an opportunity to gain membership into a repayment plan offered by a financial account provider. The repayment plan may allow a customer to select certain repayment plan options managed by the financial account provider that include various parameters, such as certain payments amounts , certain times periods, and fees assessed to the delinquent account while the customer is a member of the plan. The financial account provider may monitor each customer's performance while they are a member of the repayment plan to determine whether a customer has failed to meet the criteria associated with the selected option. If a customer fails to meet the criteria, they may be removed from membership in the repayment plan, and the delinquent account may be processed as a standard delinquent account. On the other hand, if a customer meets the criteria during the predetermined time period, the financial account provider may provide benefits to the customer, such as removing the delinquent status assigned to their account, modifying their credit bureau



report, and/or offering adjustments to selected terms of their credit account.( note abstract and see para 0021 and 0052).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was known to modify the teachings of Matsuo to include a payment executing step wherein a payment date/time is in a manner such that as said payment money amount is larger, a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased in accordance with said accepted payment money amount, when said payment date/time comes, a telephone call is made to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed taught by Clore in order to manage delinquent accounts.

As per claim 19, Matsuo discloses an electronic money processing method for a terminal apparatus in which an electronic money card having an interface and a mobile phone function is connected to a card slot and which is connected via the Internet to a bank server that is connected to said electronic money card via a mobile phone network, comprising:  
an authentication obtaining step wherein predetermined user authentication information including an account number and a telephone number obtained from said electronic money card is transmitted from said terminal apparatus to said bank server and authentication is obtained.  
(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

Matsuo fail to explicitly teach a payment applying step wherein said bank server is notified of payment application in which a payment money amount and a payment date/time which has been set -in a manner such that as said payment money amount is larger, a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased in accordance with said payment money amount have been designated,

wherein when said payment date/time comes, a telephone call is made from said bank server to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed.

However Clore discloses delinquent credit card customers an opportunity to gain membership into a repayment plan offered by a financial account provider. The repayment plan may allow a customer to select certain repayment plan options managed by the financial account provider that

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include various parameters, such as certain payments amounts , certain times periods, and fees assessed to the delinquent account while the customer is a member of the plan. The financial account provider may monitor each customer's performance while they are a member of the repayment plan to determine whether a customer has failed to meet the criteria associated with the selected option. If a customer fails to meet the criteria, they may be removed from membership in the repayment plan, and the delinquent account may be processed as a standard delinquent account. On the other hand, if a customer meets the criteria during the predetermined time period, the financial account provider may provide benefits to the customer, such as removing the delinquent status assigned to their account, modifying their credit bureau report, and/or offering adjustments to selected terms of their credit account.( note abstract and see para 0021 and 0052).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was known to modify the teachings of Matsuo to include a payment applying step wherein said bank server is notified of payment application in which a payment money amount and a payment date/time which has been set -in a manner such that as said payment money amount is larger, a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased in accordance with said payment money amount have been designated wherein when said payment date/time comes, a telephone call is made from said bank server to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed taught by Clore in order to manage delinquent accounts.

As per claim 21, Matsuo discloses wherein in said payment applying step, as said payment money amount is larger, a time lag between said payment application date/time and said payment date/time is increased. (see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

As per claim 22, Matsuo discloses wherein in said authentication obtaining step, said user authentication information includes a name, an address, and a personal identification number inputted by the user in addition to the account number and the telephone number obtained from said electronic money card. .(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

As per claim 26, Matsuo discloses a computer-readable recording medium in which a program for processing electronic money has been stored, wherein said program allows a computer constructing a terminal apparatus in which an electronic money card having an interface and a mobile phone function is connected to a card slot and which is connected via the Internet to a bank server that is connected to said electronic money card via a mobile phone network to execute:

an authentication obtaining step wherein predetermined user authentication information including an account number and a telephone number obtained from said electronic money card is transmitted from said terminal apparatus to said bank server and authentication is obtained.  
.(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

Matsuo fail to explicitly teach a payment applying step wherein said bank server is notified of payment application in which a payment money amount and a payment date/time which has been set in a manner such that as said payment money amount is larger, a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased and wherein when said payment date/time comes, a telephone call is made from said bank server to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed.

However Clore discloses delinquent credit card customers an opportunity to gain membership into a repayment plan offered by a financial account provider. The repayment plan may allow a customer to select certain repayment plan options managed by the financial account provider that include various parameters, such as certain payments amounts , certain times periods, and fees assessed to the delinquent account while the customer is a member of the plan. The financial account provider may monitor each customer's performance while they are a member of the repayment plan to determine whether a customer has failed to meet the criteria associated with the selected option. If a customer fails to meet the criteria, they may be removed from membership in the repayment plan, and the delinquent account may be processed as a standard delinquent account. On the other hand, if a customer meets the criteria during the predetermined time period, the financial account provider may provide benefits to the customer, such as removing the delinquent status assigned to their account, modifying their credit bureau report,

and/or offering adjustments to selected terms of their credit account.( note abstract and see para 0021 and 0052).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was known to modify the teachings of Matsuo to include a payment applying step wherein said bank server is notified of payment application in which a payment money amount and a payment date/time which has been set in a manner such that as said payment money amount is larger, a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased and wherein when said payment date/time comes, a telephone call is made from said bank server to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed taught by Clore in order to manage delinquent accounts.

As per claim 28, Matsuo discloses a processing method for an electronic money card which is connected to a terminal apparatus of the user via a card slot and connected to a bank server via a mobile phone network, comprising:

a payment supporting step wherein when payment application in which at least a payment money amount has been designated is notified to said bank server by said terminal apparatus, his own telephone number and account number which have previously been stored are provided. .(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

Matsuo fail to explicitly teach a payment receiving step wherein when a payment date/time which has been set by in a manner such that as said payment money amount is a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased in accordance with said payment money amount comet, if a telephone call is received from said bank server, establishment of a telephone talk connection is confirmed, and payment of the electronic money is received.

However Clore discloses delinquent credit card customers an opportunity to gain membership into a repayment plan offered by a financial account provider. The repayment plan may allow a customer to select certain repayment plan options managed by the financial account provider that include various parameters, such as certain payments amounts , certain times periods, and fees assessed to the delinquent account while the customer is a member of the plan. The financial account provider may monitor each customer's performance while they are a

member of the repayment plan to determine whether a customer has failed to meet the criteria associated with the selected option. If a customer fails to meet the criteria, they may be removed from membership in the repayment plan, and the delinquent account may be processed as a standard delinquent account. On the other hand, if a customer meets the criteria during the predetermined time period, the financial account provider may provide benefits to the customer, such as removing the delinquent status assigned to their account, modifying their credit bureau report, and/or offering adjustments to selected terms of their credit account.( note abstract and see para 0021 and 0052).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was known to modify the teachings of Matsuo to include a payment receiving step wherein when a payment date/time which has been set by in a manner such that as said payment money amount is a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased in accordance with said payment money amount comet, if a telephone call is received from said bank server, establishment of a telephone talk connection is confirmed, and payment of the electronic money is received taught by Clore in order to manage delinquent accounts.

As per claim 29, Matsuo discloses wherein in said payment receiving step, it is discriminated that a phone number of an originator obtained by a telephone call from said bank server lies within a predetermined bank telephone number range which has previously been stored, and an automatic response is made, thereby establishing the telephone talk connection.(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

As per claim 31, Matsuo discloses a computer-readable recording medium in which a program for processing electronic money has been stored, wherein said program allows a computer of an electronic money card which is connected to a terminal apparatus of the user via a card slot and connected to a bank server via a mobile phone network to execute:

a payment supporting step wherein when payment application in which at least a payment money amount has been designated is notified to said bank server by said terminal apparatus, his own telephone number and account number which have previously been stored are provided. .(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

Matsuo fail to explicitly teach a payment receiving step wherein when a payment date/time which has been set in a manner such that as said payment money amount is larger, a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased in accordance with said payment money amount comes, if a telephone call is received from said bank server, establishment of a telephone talk connection is confirmed and payment of the electronic money is received.

However Clore discloses delinquent credit card customers an opportunity to gain membership into a repayment plan offered by a financial account provider. The repayment plan may allow a customer to select certain repayment plan options managed by the financial account provider that include various parameters, such as certain payments amounts , certain times periods, and fees assessed to the delinquent account while the customer is a member of the plan. The financial account provider may monitor each customer's performance while they are a member of the repayment plan to determine whether a customer has failed to meet the criteria associated with the selected option. If a customer fails to meet the criteria, they may be removed from membership in the repayment plan, and the delinquent account may be processed as a standard delinquent account. On the other hand, if a customer meets the criteria during the predetermined time period, the financial account provider may provide benefits to the customer, such as removing the delinquent status assigned to their account, modifying their credit bureau report, and/or offering adjustments to selected terms of their credit account.( note abstract and see para 0021 and 0052).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was known to modify the teachings of Matsuo to include a payment receiving step wherein when a payment date/time which has been set in a manner such that as said payment money amount is larger, a time lag between a payment application date/time at which said payment application has been received and said payment date/time is increased in accordance with said payment money amount comes, if a telephone call is received from said bank server, establishment of a telephone talk connection is confirmed and payment of the electronic money is received taught by Clore in order to manage delinquent accounts.

## **Conclusion**

## RESPONSE TO ARGUMENTS

4. Applicant's arguments filed 7/1/2008 has been fully considered but they are not persuasive for the following reasons.

5. In response to Applicant's arguments that Matsue and Clore fail to teach or suggest" wherein said payment date/time has been set in a manner such that as said payment money amount is larger, a time lag between said payment application date/time/and a payment execution date/time is increased; and a payment executing step wherein when said payment date/time comes, a telephone call is made to said electronic money card, establishment of a telephone talk connection is confirmed, and payment of the electronic money is executed and a time lag between said payment application date/time and a payment execution date/time is increased and financial account provider facilitates negotiations with a customer to create repayment option that reduces or eliminates or one more fees charged to the customer's financial account and execution of payment of the electronic money "when said payment date comes, a telephone call is made to said electronic money card" the examiner disagrees with Applicant's because the claimed limitations were addressed as stated.

Matsuo teaches a payment accepting step wherein payment application in which a payment money amount and a payment date/time have been designated is received from said terminal apparatus(see column 1 paragraph 0005-0013 and column 4-10 paragraph 0049-0163).

Clore discloses delinquent credit card customers an opportunity to gain membership into a repayment plan offered by a financial account provider. The repayment plan may allow a customer to select certain repayment plan options managed by the financial account provider that include various parameters, such as certain payments amounts , certain times periods, and fees assessed to the delinquent account while the customer is a member of the plan. The financial account provider may monitor each customer's performance while they are a member of the repayment plan to determine whether a customer has failed to meet the criteria associated with the selected option. If a customer fails to meet the criteria, they may be removed from membership in the repayment plan, and the delinquent account may be processed as a standard delinquent account. On the other hand, if a customer meets the criteria during the predetermined time period, the financial account provider may provide benefits to the customer, such as removing the delinquent status assigned to their account, modifying their credit bureau report,

and/or offering adjustments to selected terms of their credit account ( note abstract and see para 0021 and 0052).

Therefore it is obviously clear that Applicant's claimed limitations were addressed with the teachings of Matsuo and Clore.

**6. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B. Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CG

OCT 12, 2008

/Frantzy Poinvil/  
Primary Examiner, Art Unit 3692